

To: Honorable Paul G. Gardephe, U.S.D.J. - SDNY

From: Brandon Green, Reg. No. 56400-054  
Defendant, Pro Se

cc: AUSA Jessica Feinstein

Re: Case No. 16 Cr. 281-002 (PGG)

Date: January 15, 2021

MR. GREEN'S WRITTEN OBJECTIONS TO THE COURT'S ORDER DATED:  
NOVEMBER 19, 2020

The Defendant in this Case, Brandon Green, Hereby Respectfully Submits these Written Objections to this Court's Order Dated, November, 19, 2020, to memorialize these issues for the record. Below are the following objections that Mr. Green wishes to make:

1. Mr. Green has been complaining about Trial Counsel(s) (the attorneys, Eric R. Breslin, and, Melissa S. Gelller), prior to trial, during trial, and after trial was over;
2. This Court should be familiar with some of Mr. Green's complaints, especially his dissatisfaction with Mr. Breslin's and Ms. Geller's Rule(s) 29 and 33 submissions;
3. Mr. Green tried to put the Court on notice about his dissatisfaction of Trial Attorneys performance, including their written materials like the Rules 29 and 33 submissions, by submitting a document titled: Supplemental Declaration in Support of the Rule(s) 29 and 33 Motions (hereafter "the Supplemental Declaration"), dated May 23, 2019;
4. Mr. Green swore, under penalty of perjury, to the Supplemental Declaration before submitting it to the Court's;
5. Mr. Green raised a myriad of issues inside of his sworn Supplemental Declaration; among other things was his dissatisfaction with Trial Counsel(s) written submissions without first going over such with him, and for not raising arguments that he asked to be raised (including, among other things, arguments of ineffective assistance of counsel (IAC) and prosecutorial misconduct);
6. Mr. Green is not surprised that the Court does not go into much detail about his Supplemental Declaration, and moreover the issues raised therein, in its November 19, 2020 Order; for example, the Court fails to mention Mr. Green's request to look into the Disposition of the 2010 Traffic Stop, and ignored his claims of perjury of star witness, CW-Michael Adams, and also for government and prosecutorial misconduct (that the investigator lied to the Grand Jury here);
7. In the Supplemental Declaration Mr. Green challenged, inter alia, the weight of the evidence, prosecutorial misconduct, IAC, perjury, and the Narcotics Conspiracies (Cocaine, Heroin, Crack, & Marijuana);
8. Ms. Dolan was hired to represent Mr. Green after he relieved Trial Counsel because of the issues he was having with them, which were known to the Court, to include his dissatisfaction

with Trial Counsel(s) Rule(s) 29 and 33 submission (something Ms. Dolan even stated at the substitution hearing);

9. However, before Mr. Green and or Ms. Dolan could amend/supplement Trial Counsel(s) submissions in this Case, the Court prematurely ruled on Mr. Breslin's and Ms. Geller's Rule(s) 29 and 33 submission; the same submission that the Court knew that Mr. Green was not satisfied with--this was highly prejudicial;

10. Moreover, had this Court allowed Ms. Dolan to amend/supplement the Rule(s) 29 and 33 submissions, Mr. Green's convictions would have been vacated, and he would no longer be wrongfully imprisoned today.

11. Furthermore, for some strange reason Mr. Green's Supplemental Declaration was not uploaded to Mr. Green's Docket until January 8, 2020; after his Rule(s) 29 and 33 submission was already denied by the Court;

12. However, the Court should have given Ms. Dolan and Mr. Green an opportunity to amend/suppress the Rule(s) 29 and 33 submission

Respectfully Submitted,

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Brandon Green Reg. # 56400-054  
Defendant, Pro Se

To: Honorable Paul G. Gardephe, U.S.D.J. - SDNY

From: Brandon Green Reg. No. 56400-054  
Defendant, Pro Se

cc: AUSA Jessica Feinstein

Re: 16 Cr. 281-002 (PGG)

Date: January 17, 2021

#### LETTER REGARDING CLIENT FILE

You're Honor:

Thank you for your time. I'm writing to inform this Court that since my last appearance in this matter I've received the Attorney-Client Privilege Waiver Form, and what appears to be the Attorney Zoe Dolan's Client File for me. Missing, however, is my Client File from Trial Counsel(s) the Attorneys Eric R. Breslin, and Melissa S. Geller. From what I gather their Client File for me was sent to Ms. Dolan - when she took over my Case - on a Flash Drive that is not working. The USB may have a virus on it, may be corrupt, or just maybe it does not work. I've heard multiple things.

In a letter sent from Ms. Dolan to Mr. Witzel, dated December 14, 2020, Ms. Dolan states: "Please find enclosed my case file in Brandon Green's case. Also included is a flash drive from predecessor counsel Eric Breslin and Melissa Geller, which I understand was supposed to contain their client file; however, as I mentioned when we spoke on the phone, the device appears to be corrupted or no longer holds any data. You may wish to contact them directly for another copy." Quoting Ms. Dolan's Letter to Mr. Witzel, dated: December 14, 2020. Mr. Witzel also informed me - in his letter sent to me with Ms. Dolan's Client File and the Waiver Form - that: "The only item that we received from Ms. Dolan that is not included in this package is a USB flash drive. As we have discussed, the flash drive contained no readable data." Quoting Mr. Witzel's Letter to me dated: January 8, 2021.

For some reason, as far as I know, no one has tried to contact Mr. Breslin or Ms. Geller to obtain a working client file for me. I intend on doing this myself since I find it unlikely that anyone else here will; however, I feel that the Court's, the Government, and Trial Counsel(s) all have a duty and obligation to make sure that I am provided with this. I need this information. Moreover, until I receive and review Trial Counsel's Client File, I cannot adequately prepare my claims regarding, among other things, ineffective assistance of counsel and prosecutorial misconduct.

Therefore, I ask this Court to please take Notice that I'm still without Trial Counsel(s) Client File; and I ask everyone here to assist me in getting this information so that I can adequately respond to this Court's Order(s), and so I can finish preparing my claims regarding the violations of my rights which took place here.

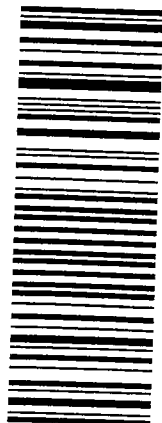
Respectfully Submitted,

\_\_\_\_\_/S/  
Brandon Green Reg. # 56400-054  
Defendant, Pro Se

1000 Green St Apt 24  
Brooklyn  
Box 39002  
Brooklyn NY 11232

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

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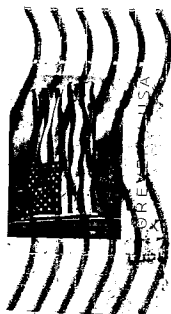
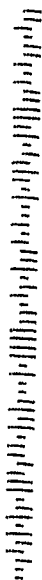
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Honorable Judge Raul Girdlehe  
United States Court House  
146 Foley Square  
NY NY 10027

10007-150729



JAN 22

**U.S. MAIL**